

REMARKS

Reconsideration of the application is requested.

Claims 9-15 and 17 remain in the application. Claims 9-15 and 17 are subject to examination. Claim 9 has been amended.

Under the heading "Claim Rejections – 35 USC § 103" on page 2 of the above-identified Office Action, claims 9-15 and 17 have been rejected as being obvious over U.S. Patent No. 6,211,478 B1 to Schoenemann et al. in view of U.S. Patent No. 2,504,906 to Tremblay under 35 U.S.C. § 103.

Claim 9 has been amended to specify that the arc-resistant material has an electroplated surface. Support for the change can be found by referring to the specification at page 9, lines 15-16.

Claim 9 has also been amended to specify that the electroplated surface makes initial contact with the contact-making points and makes contact with the contact-making points in the switched-on state of the switching device. Support for the change can be found by referring to Fig. 1, for example, which indicates that the electroplated surface of the ring 9 makes initial contact with the contact-making points of the fingers 7 and makes contact with the contact-making points of the fingers 7 in the switched-on state of the switching device. Additional support for the can be found by referring to the specification at page 9, lines 18-21.

Even if there were a suggestion to combine the teachings of Schoenemann et al. and Tremblay, for some reason, the invention defined by claim 9 would not have been obtained. Claim 9 now specifies that the electroplated surface makes initial contact with the contact-making points and makes contact with the contact-making points in the switched-on state of the switching device.

In contrast, Schoenemann et al. teach that the protective layer 37 makes initial contact with the tips of the power-switch fingers 33. In the switched on state, the silver coated contact zone 38 subsequently makes contact with the tips of the power-switch fingers 33. Therefore, even if the silver coated contact zone 38 and additionally even if, for some reason, the area under the protective layer 37 of Schoenemann et al. were electroplated as the Examiner alleges is suggested by Tremblay, the claimed invention would not have been obtained.

Applicants believe that the foregoing discussion is sufficient to establish patentability over the cited references. Applicants would, however, like to provide the following additional arguments.

The Examiner has stated that Schoenemann et al. teaches all features of claim 9 except the feature "...arc-resistant material having an electroplating".

Applicants respectfully disagree.

The configuration designated with reference numeral 34 is clearly identified as a contact ring in Schoenemann et al. In what way the contact power switch fingers 33 are arranged, cannot be acquired from Schoenemann et al. It is merely delineated that, in accordance with column 5, lines 23-27, a group of slightly longer power-switch fingers 33 is provided. Fingers are rod-like constructions, which do not correspond at all to a ring. Neither the figures nor the description of Schoenemann et al. gives any insight into how the group of power-switch fingers 33 could be arranged. Therefore, Schoenemann et al. do not give any indication at all that the contact fingers could be a ring. Thus, it is the ring 34 that can exclusively be considered as a hollow cylindrical basic body.

Schoenemann et al. describe a switching device, which comprises first and second rated contact pieces (8,6). In accordance with Fig. 3b in connection with column 5, lines 34-40, the contact piece 6 comprises the contact ring 34 with a silver-coated contact zone 38 and a protective layer 37. The contact zone 38 and the protective layer 37 of the contact ring 34 are constructed separately from one another and abut against one another. In the switched-on state (see Fig. 3b), the contact points of the contact fingers lie in the axial direction above the protective layer 37 in the region of the silver-coated contact zone 38. That means, during a switching operation, the power fingers 33 glide over the point of impact between the protective layer 37 and the silver-coated contact zone 38 (increased wear of the point of impact between protective layer and contact zone).

Thus, applicants believe that Schoenemann et al. do not disclose that the contact-making points are disposed between the first and second rated current contact pieces and lie axially in a region of the arc-resistant material in a switched-on state of the switching device.

In accordance with Schoenemann et al., these contact-making points lie next to the protective layer in the region of the silver-coated contact zone. The silver-coated contact zone lies next to the protective layer at the contact ring. The protective layer is free of any coating.

Therefore, Schoenemann et al. neither disclose an electroplating of arc-resistant material nor a configuration of contact-making points in the switched-on state on the arc-resistant material.

Tremblay describes the possibility of an electroplating of arc-resistant materials. However, Tremblay does not give any indications as to how contact pieces, for instance, should be designed in a concrete manner. Therefore, Tremblay in combination with Schoenemann et al. can only give hints as to additionally providing the regions of arc-resistant material disclosed in Schoeneman et al. with an electroplating.

A combination of Schoenemann et al. with Tremblay, however, cannot give any hints at all to a constructive further development (position of the contact-making points) of the contact pieces of Schoenemann et al.

Even when combining Schoenemann et al. with Tremblay, a difference remains between a protective layer 37 and a silver-coated contact zone 38 at the contact ring 34, so that, between these zones, a point of impact continues to be present, over which the power-switch fingers 33 must glide. Thus, a point of impact at the contact ring 34 remains even if an electroplating of the protective layer 37 must be carried out, if necessary.

The configuration of an arc-resistant material, which covers the front of a hollow cylindrical basic body and the extension of the arc-resistant material permit the occurrence of a relative movement between the rated current contact pieces exclusively on the arc-resistant material, which is kept impact-free. Thus, points of impact are prevented in the course of a movement path between the two rated current contact pieces. Consequently, the life span of the first as well as the second rated contact piece increases (in Schoenemann et al., the point of impact is compellingly present due to a difference between the protective layer and the contact zone).

Schoenemann et al. do not describe the problem of wear of the contact piece at the point of impact between the protective layer and the contact layer. Since

Tremblay principally only gears towards an electroplating of arc-resistant materials, Tremblay cannot give any hints to such a problem.

Since neither Schoenemann et al. nor Tremblay pertain to the wear of the long term stability of points of impact at contact pieces, one of ordinary skill in the art has no motivation to construct a switching device, which comprises a contact piece at a hollow cylindrical body and a front of arc-resistant material having galvanic coating, and wherein contact-making points lie in the region of the arc-resistant material in the switched-on state.

Since there is no motivation in Schoenemann et al. or in Tremblay for such a configuration, applicants believe it is not obvious for one of ordinary skill in the art to create a switching device that has the features of claim 9.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 9. Claim 9 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 9.

In view of the foregoing, reconsideration and allowance of claims 9-15 and 17 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,

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